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*Representing the United States*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JAMES N. MERRIWEATHER,  
  
Defendant.

Case No. 2:20-CR-00248-APG-VCF  
  
**Stipulation To Continue Supervised  
Release Revocation Hearing**  
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defendant and Andrew Wong, Assistant Federal Public Defender, counsel for JAMES N. MERRIWEATHER, ("Merriweather"), that the supervised release revocation hearing in the abovementioned case, which is currently scheduled for December 29, 2020 at 10:30 a.m., be continued and reset to a date and time convenient to this Court, but for a period of not less than twenty-one (21) days for the following reasons:

1           1.       On or about December 5, 2020, Merriweather appeared on the petition  
2 seeking to revoke his supervised release. He was released on his own recognizance  
3 pending a supervised release revocation hearing, which is currently scheduled for  
4 December 29, 2020, at 10:30 a.m..

5           2.       The parties have agreed to continue the supervised release revocation  
6 hearing for at least twenty-one days so that the parties can investigate, gather and  
7 produce any relevant discovery, attempt to reach a negotiated resolution, and failing that,  
8 prepare for a contested hearing.

9           3.       The defendant is not incarcerated and does not object to the continuance.

10          4.       The parties agree to the continuance.

11          5.       The additional time requested herein is not sought for purposes of delay,  
12 but merely to allow the parties sufficient time within which adequately prepare for the  
13 revocation hearing. Additionally, denial of this request for continuance could result in a  
14 miscarriage of justice, and the ends of justice served by granting this request, outweigh  
15 the best interest of the public and the defendant in a speedy hearing.

16          6.       This is the first stipulation to continue the hearing.

17  
18           DATED this 23rd day of December, 2020.

19           RENE L. VALLADARES  
20           Federal Public Defender

          NICHOLAS A. TRUTANICH  
          United States Attorney

21           */s/ Andrew Wong*  
22           By \_\_\_\_\_  
23           Andrew Wong  
24           Assistant Federal Public Defender  
25           Counsel for James N. Merriweather

*/s/ Kimberly M. Frayn*  
          By \_\_\_\_\_  
          KIMBERLY M. FRAYN  
          Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4

5 Plaintiff,

6 v.

7 JAMES N. MERRIWEATHER,  
8

9 Defendant.

Case No. 2:20-CR-00248-APG-VCF

**Findings Of Fact, Conclusions Of Law  
And Order**

10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore,  
12 the Court finds that:

13 1. On or about December 5, 2020, Merriweather appeared on the petition  
14 seeking to revoke his supervised release. He was released on his own recognizance  
15 pending a supervised release revocation hearing, which is currently scheduled for  
16 December 29, 2020, at 10:30 a.m..

17 2. The parties have agreed to continue the supervised release revocation  
18 hearing for at least twenty-one days so that the parties can investigate, gather and  
19 produce any relevant discovery, attempt to reach a negotiated resolution, and failing that,  
20 prepare for a contested hearing.

21 3. The defendant is not incarcerated and does not object to the continuance.

22 4. The parties agree to the continuance.

23 5. The additional time requested herein is not sought for purposes of delay,  
24 but merely to allow the parties sufficient time within which adequately prepare for the  
25 revocation hearing. Additionally, denial of this request for continuance could result in a  
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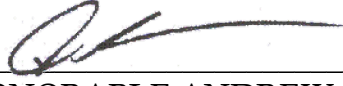
1 miscarriage of justice, and the ends of justice served by granting this request, outweigh  
2 the best interest of the public and the defendant in a speedy hearing.

3 6. This is the first stipulation to continue the hearing.

4 **ORDER**

5 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the  
6 above-captioned matters, currently scheduled for December 29, 2020, be vacated and  
7 continued to a date and time convenient to this Court, that is on January 19, 2021 at  
8 10:30 a.m. in LV Courtroom 6C.  
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12 DATED this 28th day of December 2020.

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15 \_\_\_\_\_  
16 HONORABLE ANDREW G. GORDON  
17 United States District Court Judge  
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